

JUNE 5, 2008

HEALTH & HUMAN SERVICES COMMITTEE  
REPORT NO. 9

ALL MEMBERS PRESENT EXCEPT LEGISLATORS MILLER-WILLIAMS AND REYNOLDS.  
CHAIR MARINELLI PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:

a. COMM. 7E-18 (2008)

**RATH:** Letter to Health & Human Services Chair Thomas J. Mazur Concerning Project Sticker Shock  
(7-0)

2. COMM. 10E-13 (2008)

**COUNTY EXECUTIVE**

WHEREAS, on April 3, 2008 the Erie County Legislature approved a non-recurring bonus allocation in the amount of \$361,037 from the New York State Office of Temporary and Disability Assistance (OTDA) – reference COMM. 6E-16; and

WHEREAS, authorization to enter into a \$49,000 contract for Employee Training and Education with the Center for Development of Human Services (CDHS) was approved as part of that resolution; and

WHEREAS, Erie Community College (ECC) can provide the training with minimal overhead charges; and

WHEREAS, there is no fiscal impact to this resolution.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive and/or the Commissioner of Social Services be authorized to execute a \$49,000 contract with Erie Community College for Employee Training and Education; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the County Executive, the Commissioner of Social Services, the Erie County Comptroller and the Director of the Division of Budget and Management.

(4-0)

3. COMM. 10E-30 (2008)

**COUNTY EXECUTIVE**

WHEREAS, the Division of the Medical Examiner of the Erie County Health Department is mandated to provide a system of death investigations to determine cause of death; and

WHEREAS, the need exists to re-structure the Division of the Medical Examiner to maintain viability and increase the ability to attract and recruit highly trained forensic pathologists; and

WHEREAS, the Division of the Medical Examiner has conducted a national search for over six (6) months to replace the forensic pathologist who retired; and

WHEREAS, there are only four hundred (400) board certified forensic pathologists nationally; and

WHEREAS, the National Accreditation of Medical Examiners (NAME) recommends a caseload of 250-300 cases for each forensic pathologist, and the caseload at the Medical Examiner's Office is over 1200 cases which is currently divided between 2.5 forensic pathologists due to the retiring of one of the forensic pathologist back in August; and

WHEREAS, the candidate that applied is board certified and has over twenty (20) years experience; and

WHEREAS, the vacant full-time position of Associate Chief Medical Examiner, position # 583, JG 22, Step E, needs to be deleted, and one full time Deputy Chief Medical Examiner position, JG 24, Step 5, commensurate with the training, education and experience of the individual needs to be created; and

WHEREAS, to further aid in recruitment and retention activities, the Division of Medical Examiner wishes to create a title of Medical Examiner, JG 23, Step 1, which would only be filled when an incumbent Associate Medical Examiner has received Board Certification as a Forensic Pathologist. Funding for the position will be derived from the vacated Associate Medical Examiner position; and

WHEREAS, with current medical staffing, in the event of an extended illness, absence, or a natural or man-made disaster, the office would be unable to conduct the necessary functions and responsibilities; and

WHEREAS, the Medical Examiner Division continually operates twenty-four (24) hours a day, seven (7) days a week, three-hundred-sixty-five (365) days a year; this includes medical staff regularly being on-call for medical decisions, in addition to performing autopsies on weekends and holidays; and

WHEREAS, sufficient funds are available in Account 500000 because the position has remained vacant since 1/1/08.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes deletion of one vacant full-time position (position #583) of Associate Chief Medical Examiner, JG 22, Step E, and the creation of one full time position of Deputy Chief Medical Examiner, JG 24, with the variable hiring minimum Step 5, as indicated on B100 #3855.

The following personnel detail is hereby submitted:

Title: Deputy Chief Medical Examiner

JG: 24

Step: 5

Annual Salary: \$166,616

Fringe Benefit Cost: \$70,928

Fiscal impact on the budget for the remaining portion of the fiscal year: Depends upon date position filled.

Position will be filled from: National search.

and be it further

RESOLVED, that the Erie County Legislature hereby authorizes the creation of one full time position of Medical Examiner, JG 23, Step 1, as indicated on B100#3860.

The following personnel detail is hereby submitted:

Title: Medical Examiner

JG: 23

Step: 1

Annual Salary: \$121,358

Fringe Benefit Cost: \$51,662

Fiscal impact on the budget for the remaining portion of the fiscal year: None.

Position will be filled from: Only after an Associate Medical Examiner becomes Board Certified as a Forensic Pathologist and the existing Associate position is deleted.

RESOLVED, that certified copies of this resolution be forwarded to the Comptroller's Office, the County Executive's Office, Department of Personnel, the Division of Budget and Management, the

Department of Law and to Dr. Anthony J. Billittier, IV, Commissioner, in the Department of Health, Rath Building, 9<sup>th</sup> Floor.  
(4-0)

**THOMAS J. MAZUR  
CHAIR**